

Regular Meeting Of The Marina Planning Commission

AGENDA

REGULAR MEETING OF THE MARINA PLANNING COMMISSION

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY

(HYBRID)

**Marina City Council Chambers
211 Hillcrest Avenue, Marina, CA**

6:30 PM Regular Session

Zoom Meeting URL:

[HTTPS://US02WEB.ZOOM.US/S/84287578704](https://us02web.zoom.us/j/84287578704)

**Zoom Meeting Telephone Only Participation: 1-669-
900-9128 - Webinar ID: 842 8757 8704**

Participation

You may participate in the Planning Commission meeting in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City's home page at <https://cityofmarina.org/>. Attendees can make oral comments during the meeting by using the "Raise Your Hand" feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only. If you are unable to participate in real-time, you may email to MARINA@CITYOFMARINA.ORG with the subject line "Public Comment Item #_" (insert the item number relevant to your comment) or "Public Comment – Non Agenda Item." Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Planning Commission will have the option to modify their action on items based on comments received.

Persons Addressing the Legislative Body. Any person making impertinent, slanderous or profane remarks, or who becomes boisterous while addressing the legislative body, shall be called to order by the Presiding Officer and, if such conduct continues, may at the discretion of the Presiding Officer be barred from further audience before the legislative during that meeting, unless permission to continue be granted by a majority of the body.

Members of Audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the Presiding Officer, shall be guilty of an infraction, and upon instructions from the Presiding Officer, it shall be the duty of the Sergeant at Arms or Peace Officer to remove any such person from the room and place him under arrest or otherwise cause him to be prosecuted under the law.

Agenda Materials

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina's website WWW.CITYOFMARINA.ORG. Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet will be made available on the City of Marina website WWW.CITYOFMARINA.ORG subject to City staff's ability to post the documents before the meeting.

Vision Statement

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 – May 2, 2006)**

Mission Statement

The Planning Commission as an appointed body of the City Council will provide the

leadership in protecting Marina's natural setting while developing the City on a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. (Resolution No. 2006-112 – May 2, 2006)

Land Acknowledgement

The City recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region - the Esselen and Ohlone/Costanoan, their ancestors and allies - and honors these members of the community, both past and present.

1. Call To Order

2. Roll Call & Establishment Of Quorum

Chair Glenn Woodson, Vice Chair Audra Walton, Surinder Rana, Victor Jacobsen, Galia Baron, Richard St. John, Paul Cheng

3. Moment Of Silence & Pledge Of Allegiance

4. Special Announcements And Communications From The Floor

Announcements of special events or meeting of interest as information to Board and Public. At this time any person may comment on any item, which is not on the agenda. Please state your name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on the next agenda. Planning Commission members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of three (3) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the Planning Commission.

5. Ex Parte Communications For Quasi-Judicial Matters

On quasi-judicial matters, Councilmembers shall verbally disclose off the record contacts relating to the item, after the item is called and before Council consideration of the matter. Disclosure shall include the identity of an individual(s) with whom the Council Member had contact and the nature of the contact.

Written ex parte communications must be forwarded to the City Clerk so they can be provided to the entire Council and to the public.

6. Consent Agenda

Background information has been provided to the Planning Commission on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the Planning Commission may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda and placed at the end of Other Action Items.

. A. Approval Of Minutes

Planning Commission to approve July 10, 2025, Meeting Action Minutes. Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061.

Documents:

DRAFT MINUTES REGULAR MEETING PLANNING
COMMISSION JULY 10 2025.PDF

7. Public Hearings

Time will be set aside during the Public Hearing to receive oral comments on all items listed as Public Hearings. Staff will present the project brought forth for Planning Commission consideration and possible action and answer questions from the Planning Commissioners. Planning Commissioners will disclose any ex parte communication before making comments on each project. The applicant will then have the opportunity to make a presentation. The public will then be invited to approach the podium to provide up to three (3) minutes of public testimony and then the applicant will have a chance for a short rebuttal of any issues raised by the public.

. A. Minor Amendment To The Marina Municipal Code – Amend “Male And Female Impersonators”

The Planning Commission to consider adopting Resolution 2025-10 recommending that the City Council adopt the proposed amendment to Section 17.52.020 of the Marina Municipal Code (MMC) removing the phrase “male and female impersonators” from the Definition of “Adult cabaret” thereby removing this form of personal and cultural expression from uses regulated by the Adult Businesses and Massage Therapists section of the MMC. The proposed Ordinance is exempt from environmental review pursuant to Section and 15061(b)(3) of the CEQA Guidelines. Project Planner: Alyson Hunter, Planning Services Manager | 831-884-1251 | AHUNTER@CITYOFMARINA.ORG

Documents:

PCSR_MINOR ADULT BUS._ORDINANCE_AMEND. 8-14-25.PDF

8. Informational Items

. A. Monterey-Salinas Transit (MST) Mobility Hub Site

The Planning Commission is to receive an informational presentation on the approved Site & Architectural Design Review SAD25-005 for MST to build a mobility hub at its property on 5th Street in Marina. Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061. Staff Planner: Brian Kim, Assistant Planner | 831-884-1237 | BKIM@CITYOFMARINA.ORG

Documents:

MST MOBILITY HUB.PDF

.. B. Innovative Housing Models In Support Of Housing Element Program

The Planning Commission is to receive an informational presentation from city staff and Rincon Consulting regarding innovative housing models that can be implemented to reduce housing costs and decrease time to occupy housing units in support of Housing Element Program 2.3 (Affordable Housing Development). Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061. Project Planner: Guido F. Persicone, AICP, Community Development Director | GPERSICONE@CITYOFMARINA.ORG | 831- 884-1289

9. Staff & Major Projects Updates

10. Correspondence

11. Adjournment



Thursday, July 10, 2025

6:30 PM Regular Session

DRAFT MINUTES

REGULAR MEETING OF THE PLANNING COMMISSION

1. **Call to Order:** 6:31 PM
2. **Roll Call & Establishment of Quorum**
Present: Woodson, Walton, Rana, Baron, St. John, Cheng
Absent: Jacobsen
3. **Moment of Silence & Pledge of Allegiance**
4. **Special Announcements and Communications from the Floor**
Item 9 B. Certificate of Appreciation was moved up by the Planning Commission Chair, who presented a Certificate of Appreciation to Nicholas McIlroy, ACIP, Senior Planner.
5. **Ex Parte Communications for Quasi-Judicial Matters**
6. **Consent Agenda**
 - A. **Approval of Minutes**
Planning Commission to approve June 12, 2025, Meeting Action Minutes. Not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061.
 - A. **Approval of Minutes**
The Planning Commission approved June 12, 2025, Meeting Action Minutes.
On a 6-0 vote the motion was approved (6-0-0-1)

Ayes (6): Woodson, Walton, Rana, Baron, St. John, Cheng
Noes (0): None
Recuse (0): None
Absent (1): Jacobsen
7. **Public Hearings**
 - A. **Retaining Wall Variance – Dunes Development**
Baron motioned, seconded by Rana to adopt Resolution No. 25-09 approving Variance V25-0001 to develop rear yard retaining walls exceeding the maximum height permitted by Section 17.42.060.E of the Marina Municipal Code for the properties located on the

west side of Lantern Avenue (lots 680 through 689) in Dunes Phase 3 South. The proposed variance is exempt from environmental review under Section 15303 of the CEQA Guidelines for new construction and conversion of small structures. *On a 6-0 vote the motion was approved (5-1-0-1)*

Ayes (6): Woodson, Walton, Rana, Baron, St. John, Cheng

Noes (0): None

Recuse (0): None

Absent (1): Jacobsen

8. **Informational Items**

A. **Shopping Cart Ordinance**

The Planning Commission received an informational presentation from Shane Doughty, Planning Intern, on the proposed ordinance to amend the Marina Municipal Code (MMC) Title 8, to add Chapter 8.80 relating to shopping cart regulations.

B. **Training – CEQA Mitigation Measures**

The City of Marina Planning Commission received training from staff on Mitigation Monitoring and Reporting Program (MMRP) for the California Environmental Quality Act (CEQA).

9. **Staff & Major Projects Update**

A. **Update on Major Projects**

The City of Marina Planning Commission received an informational update on major projects (the Owhadi Project and 3298 Del Monte Blvd).

10. **Correspondence**

11. **Adjournment:** 8:20 PM

Members of the
Planning Commission

Planning Commission Meeting
of August 28, 2025

**OPEN A PUBLIC HEARING, TAKE PUBLIC TESTIMONY, AND
CONSIDER ADOPTING PLANNING COMMISSION RESO. NO. 2025-
10 RECOMMENDING THAT THE CITY COUNCIL ADOPT AN
AMENDMENT TO THE MARINA MUNICIPAL CODE (MMC), TITLE
17, ARTICLE 5, BY AMENDING SECTION 17.52.020-DEFINITIONS,
TO REMOVE “MALE AND FEMALE IMPERSONATION” FROM THE
DEFINITION OF “ADULT CABARET”. THE PROPOSED
ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW
PURSUANT TO SECTION 15061(b)(3) OF THE CEQA GUIDELINES.**

RECOMMENDATION:

Staff recommends that the Planning Commission make the following motion to approve the project:

“I move to adopt PC Resolution 2025-10 recommending that the City Council adopt the proposed amendment to Section 17.52.020 of the Marina Municipal Code (MMC) removing the phrase “male and female impersonators” from the Definition of “Adult cabaret” thereby removing this form of personal and cultural expression from uses regulated by the Adult Businesses and Massage Therapists section of the MMC. The proposed Ordinance is exempt from environmental review pursuant to Section and 15061(b)(3) of the CEQA Guidelines.”

BACKGROUND

As a result of a discussion by the City Council at its regular public meeting held on July 1, 2025, the Community Development Department (CDD) was directed to process a minor amendment to the Marina Municipal Code (MMC) removing the phrase “male and female impersonators” from the Definition of “Adult cabaret” as found in MMC Section 17.52.020. The Council agreed that this type of expression has become a common art form and a cultural norm and it should be, thereby, removed from uses regulated by the Adult Businesses and Massage Therapists section of the MMC.

ANALYSIS

In California, the expression of personal identity through male and female impersonation (aka, *drag*) has long been considered an acceptable form of theatrical and cultural expression. Article 1 of the California Constitution (Sec. 2) allows freedom of expression as long as it is not indecent. In *Miller v. California*¹, the U.S. Supreme Court found that this type of expression within a context of artistic, literary, and social expression is within the “contemporary community standards of California”.

By removing this use from the definition of “Adult cabaret” in MMC 17.52.020, male and female impersonation may legally occur at any operation or community assembly that is otherwise permitted.

¹ [Miller v. California, 413 U.S. 15 \(1973\)](#)

The entire MMC Chapter 17.52 entitled Adult Businesses and Massage Therapists is being reviewed for consistency with State law. A more comprehensive amendment to this Chapter will likely come before the Planning Commission and City Council in the near future.

CORRESPONDENCE

No correspondence has been received regarding these proposed amendments as of the preparation of this report.

CONFLICT OF INTEREST

Commission members are subject to all aspects of the Political Reform Act. Commission members must not make, participate in making, or attempt to influence in any manner a governmental decision which he/she knows, or should know, may have a material effect on a financial interest. Because the proposed amendments would be effective through the City and could affect all zoning districts, the proposed action is not expected to result in any material effect on Commissioners' financial interest.

EX PARTE COMMUNICATION DISCLOSURES

In the context of any public hearing or action items that come before the Planning Commission (PC), ex parte communications are those which occur outside the formal hearing process. If such contacts do occur, the substance of the communication must be disclosed to all interested parties in advance of any public hearing or testimony to allow rebuttal. Written ex parte communications must be forwarded to the Community Development Director so that they can be disclosed to the entire Commission and the public.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the State CEQA Guidelines. Staff has determined that the exemption applies in this case because the proposed procedural changes would not result in a direct or a reasonably foreseeable indirect physical change in the environment and the proposed ordinance is covered by the general rule that CEQA applies only to projects which have potential for causing significant effect on the environment. Therefore, the adoption of this ordinance is exempt from CEQA, and no further environmental review is necessary.

CONCLUSION

This request is submitted for Planning Commission consideration and recommendation to the City Council.

Respectfully submitted,

Alyson Hunter, AICP
Planning Services Manager
City of Marina

REVIEWED/CONCUR:

Guido Persicone, AICP
Community Development Director
City of Marina

RESOLUTION NO. 2025-10

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE MARINA MUNICIPAL CODE (MMC), CHAPTER 17, ARTICLE 5, SECTION 17.52.020 – DEFINITIONS, BY REMOVING THE PHRASE “MALE OR FEMALE IMPERSONATORS” FROM THE DEFINITION OF “ADULT CABARET”. THE PROPOSED ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15061(b)(3) OF THE CEQA GUIDELINES.

WHEREAS, the City Council of the City of Marina (City) acknowledges that male and female impersonation is now considered a respected form of comedic theatre and cultural expression. As a result, the City Council, at its July 1, 2025, meeting, requested that the Community Development Dept. (CDD) provide amendments to the Marina Municipal Code (MMC) that would remove “male and female impersonation” as a use defined in the Adult Businesses and Massage Therapists portion of the Marina Municipal Code (MMC), also known as, Section 17.52.020;

WHEREAS, by removing this type of activity from this Section of the MMC and, thereby, the Adult Businesses and Massage Therapists Chapter, the City Council recognizes that this form of expression is considered simply to be artistic in nature and not subject to the other regulations found within MMC Section 17.52;

WHEREAS, the proposed amendment consists of removing the phrase “male and female impersonators” from the definition of “Adult cabaret” in MMC Section 17.52.020 and is referenced herein as Exhibit A;

WHEREAS, furthermore, the Community Development Department is reviewing the entirety of MMC Section 17.52 for consistency with State law and the current goals of the City Council including inclusivity, cultural expression, and respect for everyone’s rights; and

WHEREAS, the proposed amendment to Chapter 17 of the MMC is consistent with Section 17.72 (Amendments).

WHEREAS, the findings and conclusions made by the Planning Commission in this resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed amendment, which is incorporated herein by this reference. The findings are not based solely on the information provided in this resolution;

WHEREAS, the project is exempt from CEQA per Section 15061(b)(3) because the proposed procedural changes would not result in a direct or a reasonably foreseeable indirect physical change in the environment and the proposed ordinance is covered by the general rule that CEQA applies only to projects which have potential for causing significant effect on the environment.

NOW THEREFORE BE IT RESOLVED that the Planning Commission does hereby recommend that the City Council adopt changes to Chapter 17 of the Marina Municipal Code as described in the draft ordinance referenced herein as Exhibit A.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the ____ day of August 2025, by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSENT, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

Glenn Woodson, Chair

ATTEST:

Guido Persicone, AICP
Community Development Director
City of Marina

ORDINANCE NO. 2025-

AN ORDINANCE AMENDING THE MARINA MUNICIPAL CODE (MMC), CHAPTER 17, ARTICLE 5, SECTION 17.52.020 – DEFINITIONS, BY REMOVING THE PHRASE “MALE OR FEMALE IMPERSONATORS” FROM THE DEFINITION OF “ADULT CABARET”. THE PROPOSED ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15061(b)(3) OF THE CEQA GUIDELINES.

-oOo-

THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

1. The City Council of the City of Marina (City) acknowledges that male and female impersonation is now considered a respected form of comedic theatre and cultural expression. As a result, the City Council, at its July 1, 2025, meeting, requested that the Community Development Dept. (CDD) provide amendments to the Marina Municipal Code (MMC) that would remove “male and female impersonation” as a use defined in the Adult Businesses and Massage Therapists portion of the Marina Municipal Code (MMC), also known as, Section 17.52.020.
2. By removing this type of activity from this Section of the MMC and, thereby, the Adult Businesses and Massage Therapists Chapter, the City Council recognizes that this form of expression is considered simply to be artistic in nature and not subject to the other regulations found within MMC Section 17.52.
3. The proposed amendment consists of removing the phrase “male and female impersonators” from the definition of “Adult cabaret” in MMC Section 17.52.020 and is referenced herein as Exhibit A.
4. Furthermore, the Community Development Department is reviewing the entirety of MMC Section 17.52 for consistency with State law and the current goals of the City Council including inclusivity, cultural expression, and respect for everyone’s rights.
5. The proposed amendment to Chapter 17 of the MMC is consistent with Section 17.72 (Amendments).

6. Environmental. The proposed Ordinance amendments are not subject to environmental review pursuant to the State CEQA Guidelines, California Code of Regulations, Title 14, Article 5, Section 15061(b)(3) because the proposed procedural changes would not result in a direct or a reasonably foreseeable indirect physical change in the environment and the proposed ordinance is covered by the general rule that CEQA applies only to projects which have potential for causing significant effect on the environment. Therefore, the adoption of this ordinance is exempt from CEQA, and no further environmental review is necessary.

7. Effective Date. This Ordinance shall be in full force and effect on thirty (30) days after its final passage and adoption.

8. Severability. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.

9. Posting of Ordinance. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause it to be posted in the three (3) public places designated by resolution of the City Council. The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on _____, 2025, and was passed and adopted at a regular meeting duly held on _____, 2025, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST: _____

Anita Sharp, Deputy City Clerk

Exhibit A

(Deleted text is indicated with strikethrough)

Chapter 17.52

ADULT BUSINESSES AND MASSAGE THERAPISTS

Sections:

...

17.52.020 Definitions.

...

17.52.020 Definitions.

For the purpose of this chapter, the following definitions shall apply, unless the context otherwise requires:

“Adult bookstore” means an establishment in which fifty percent or more of either its floor area, inventory or monthly sales is devoted to stock, books, magazines, or other periodicals, films, videotapes, video discs, or other such electronic, magnetic, or other means of creating a moving image upon any screen, television, or other device, peep shows or other similar devices designed for use in individual viewing of films on the premises, which books, magazines, periodicals, films, videotapes, video discs, or other means, peep shows or similar devices are substantially devoted to the depiction of specified sexual activities or specified anatomical areas as defined herein.

“Adult businesses” means adult bookstore, adult motion picture facility, figure model studio, adult motel, adult cabaret, or massage establishment. However, a massage therapist business as defined in this section shall be excluded from the definition of adult businesses.

“Adult cabaret” means an establishment which features topless-bottomless dancers, go-go dancers, exotic dancers, strippers, ~~male or female impersonators~~, or similar entertainers.

“Adult motels” means any establishment designated as or having the characteristics of a hotel, motel, or other transient lodging facility which has or proposes to have as a feature or service offered to its customers the presentation or entertainment in the form of motion picture film, videotape, closed circuit television, or any other similar means or device which is substantially similar thereto and provided for the purpose of displaying, showing or depicting specified anatomical areas, as defined in this section for observation or viewing by persons who are customers of such establishments. This section shall apply whether charge is made or consideration exchanged for the use of rooms within such establishments for overnight accommodations or for short-term admission to view the material above described.

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Monterey-Salinas Transit (MST) Mobility Hub

August 28, 2025

Planning Commission

Brian Kim, Assistant Planner



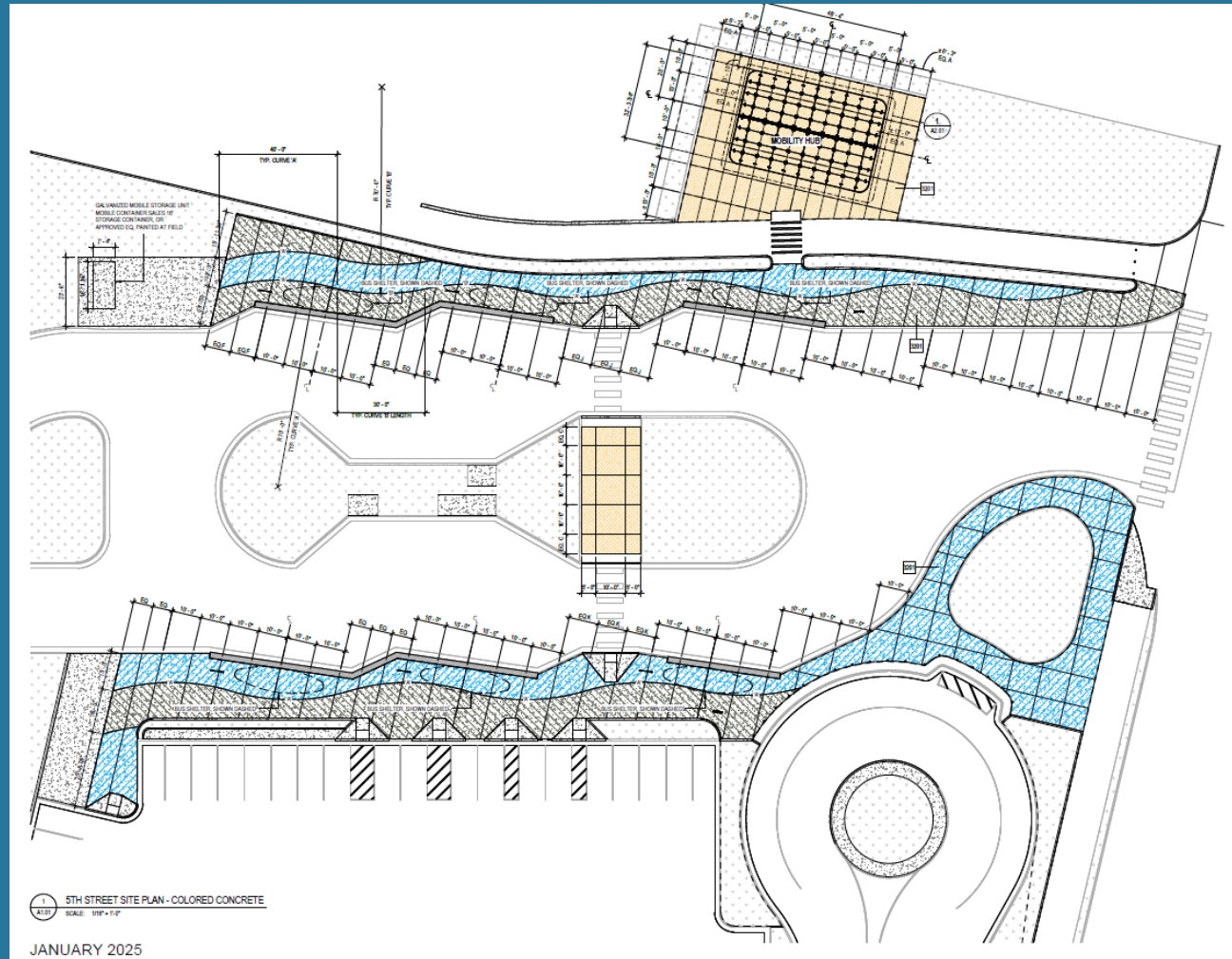
Project Description

- Build a Mobility Hub on 5th Street
- Vacant Former Military Lot
- Proposed Structure Measures 1,020 sq ft & 13 ft tall
- Bike Storage & Repair for MST Customers
- Includes CCTV Security
- Anticipated Construction: March - October 2026

Project Location



Site Plan



Renders/Materials

